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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 DAVID ROBERT DAMANTE,

12 Defendant.

2:11-CR-064-APG-(CWH)

13  
14 PRELIMINARY ORDER OF FORFEITURE

15 This Court finds that on November 27, 2013, defendant DAVID ROBERT DAMANTE pled  
16 guilty to Counts One and Five of an Eight-Count Second Superseding Criminal Indictment charging  
17 him in Counts One and Five with Wire Fraud, in violation of Title 18, United States Code, Section  
18 1343. Second Superseding Criminal Indictment, ECF No. 192; Plea Agreement, ECF No. \_\_\_\_.

19 This Court finds defendant DAVID ROBERT DAMANTE agreed to the forfeiture of the  
20 property set forth in Forfeiture Allegations of the Second Superseding Criminal Indictment and the  
21 Plea Agreement. Second Superseding Criminal Indictment, ECF No. 192; Plea Agreement, ECF No.  
22 \_\_\_\_.

23 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of  
24 America has shown the requisite nexus between property set forth in the Plea Agreement, and the  
25 ...  
26 offenses to which defendant DAVID ROBERT DAMANTE pled guilty. Second Superseding  
Criminal Indictment, ECF No. 192; Plea Agreement, ECF No. \_\_\_\_.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code,  
2 Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); and Title 18, United States  
3 Code, Section 982(a)(2)(A):

- 4 1) a 2006 Ferrari F430 F1, VIN: ZFFEW58A360149771;
- 5 2) a 2009 Mercedes Benz SL550, VIN: WDBSK71F39F142690;
- 6 3) a 2009 Honda Pilot, VIN: 5FNYP485X9B050010;
- 7 4) a 2008 Supra Sunsport, hull/serial number ISRSF031A808;
- 8 5) a 2008 Boat-Mate trailer, VIN: 5A7BB242X8T002509;
- 9 6) any and all funds contained in Bank of America Account in the name of Lea  
10 Damante, Account Number XXXXXXXXX1633;
- 11 7) any and all funds contained in Bank of America Account in the name of Lea  
12 Damante, Account Number XXXXXXXXX3340; and
- 13 8) an in personam criminal forfeiture money judgment of \$375,000.00 in United  
14 States Currency (all of which constitutes "property").

15 This Court finds the United States of America is now entitled to, and should, reduce the  
16 aforementioned property to the possession of the United States of America.

17 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
18 United States of America should seize the aforementioned property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
20 DAVID ROBERT DAMANTE in the aforementioned property is forfeited and is vested in the  
21 United States of America and shall be safely held by the United States of America until further order  
22 of the Court.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
24 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
25 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
26 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state

1 the name and contact information for the government attorney to be served with the petition,  
2 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be  
4 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
6 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
7 following address at the time of filing:

8 Michael A. Humphreys  
9 Assistant United States Attorney  
Daniel D. Hollingsworth  
10 Assistant United States Attorney  
Lloyd D. George United States Courthouse  
11 333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
13 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
14 following publication of notice of seizure and intent to administratively forfeit the above-described  
15 property.

16 DATED this 27<sup>th</sup> day of November, 2013.

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19 UNITED STATES DISTRICT JUDGE  
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